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MEMO ENDORSED

July 29, 2008

BY HAND DELIVERY

Hon. Colleen McMahon U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 640
New York, NY 10007

Re: AL Solutions, Inc. v. Jamegy, Inc., et al. No. 08 Civ. 5515

Dear Judge McMahon:

We represent Plaintiff AL Solutions, Inc. in the above-referenced action. Enclosed is a courtesy copy of Plaintiff's Reply Memorandum in Support of its Motion to Remand, which was filed today (via ECF) and which closes briefing on Plaintiff's Motion. We have previously requested oral argument on the Motion but recognize that is a matter entirely in Your Honor's discretion given the relative simplicity of issues involved in the motion.

We briefly wish to emphasize again what we said yesterday in our facsimile regarding Defendants' proposed Case Management Plan, which was never consented to by Plaintiff as required by your June 25, 2008 Order (Doc. # 4). Defendants' proposal should never have been submitted to the Court and hence we believe was inadvertently endorsed by Your Honor yesterday. We respectfully request that Your Honor's endorsement should be withdrawn, not only because the procedures set forth in the June 25 Order were violated by Defendants, but because the Plan as presently endorsed – since it was not consented to by Plaintiff – is (not surprisingly) totally one-sided in Defendants' favor. Entry of Defendants' biased case management plan will cause severe prejudice to Plaintiff in attempting to present its case.

Respectfully submitted,

Michael W. Mitchell
Michael W. Mitchell

Relax - I
already got rid of
the order

Caren M. Mc
7/31/08

encl.

cc: Maxine Gail Sleeper (via email w/o enclosure)
Hans Harris Chen (via email w/o enclosure)
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